

Los Angeles County Registrar-Recorder/County Clerk

2024

A GUIDE TO RECALL

**FOR COUNTY, SCHOOL, SPECIAL
DISTRICT AND LOCAL OFFICES**

The publication is intended for general reference and guidance only. The Los Angeles County Registrar-Recorder/County Clerk does not provide legal advice to the public on matters relating to elections. Individuals with questions relating to subject matter of this material should consult legal counsel.

**Prepared by
The Election Coordination Unit**

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A GUIDE TO RECALL

For County, School District, Special District and Local Judicial Offices

I. INTRODUCTION

Note: Due to the complexity of the recall process, all parties involved are advised to seek private legal counsel.

1. Use of this Guide

This guide is intended to provide basic, useful facts about the recall process for county, school district, special district, community college district and judicial (superior court) elected offices. **For the recall of city officeholders**, contact that city's Office of the City Clerk directly. **For the recall of state officeholders**, see the "*Procedure for Recalling State and Local Officials*" published by the Office of the Secretary of State and available on their website: <https://www.sos.ca.gov/elections/recalls>. Federal officeholders are not subject to recall.

This guide (and the included appendices) should be used in conjunction with:

- The "*Procedure for Recalling State and Local Officials*" (current version), published by the Office of the Secretary of State.
- The applicable sections of the California Elections Code, California Government Code, California Constitution, etc.

Except as otherwise specified, the code sections referred to in this guide with the section number symbol (§) are those of the California Elections Code.

Except as otherwise specified, references to the number of days means *calendar* days, e.g., "the officer's answer to the notice of intention to recall, is due within seven [calendar] days after the filing of the notice of intention by the proponents."

2. What is a Recall and What Circumstances Justify It?

The California Constitution defines a recall as "the power of the electors to remove an elective officer" (Art. II, Sec. 13). Neither the California Constitution nor the Elections Code states under what circumstances a recall is justified. Instead, the Constitution states, in connection with the recall of state officers, "sufficiency of reason is not reviewable" (Art. II, Sec. 14). The only language in the Elections Code that has any bearing on this is in §11024. Referring to the proponents' statement of reasons for the recall and the officer's answer, it states that, "the statement and answer are intended solely for the information of the voters. No insufficiency in form or substance thereof shall affect the validity of the election proceedings."

3. Who Can be Recalled?

Any elective officer, including any officer appointed in lieu of election or to fill a vacancy (E.C. §11006).

4. Circumstances Under Which a Recall is Prohibited

Except when a person has been appointed to office pursuant to elections code §10229 (because no person has been nominated to office), a recall may not be commenced against an officer if one or more of the following conditions apply (E.C. §11007):

- The officer has not held office during their current term for more than 90 days.
- A recall election has been determined in the officer's favor within the last six months.
- The officer's term of office ends within six months or less.

5. Who Conducts the Recall Election?

The county elections official (i.e., the County Clerk or Registrar of Voters) conducts the election in the case of the recall of elective officers of a county, school district, county board of education, community college district, resident voting district and judges of trial courts (Superior Court Judges) (§11002). However, in the event that the county elections official is the officer whose recall is being sought, then the duties imposed upon [them] shall be performed by some other person designated by the Board of Supervisors (E.C. §11201).

6. Who Can Initiate a Recall?

Any qualified elector may initiate a recall. A qualified elector is defined as a registered voter of the jurisdiction who is eligible to vote for the officer they seek to recall (E.C. §§11005 and 322).

7. BEFORE the Steps to Initiate a Recall

- a. Recommended to use the "Appendix C-1 Template" to create your Notice of Intention (NOI).
- b. Recommended to review the required sections of a NOI are included such as the provisions of section 11023.
- c. Recommended to use the NOI you created with the template (Appendix C-1) to solicit **price quotes**, **BEFORE** collecting signatures, from a newspaper with general circulation in the jurisdiction of the officer whose recall is being sought. (Prices can vary based on the number of pages, so its recommended to limit the number of pages of the NOI).
- d. Recommended to create a budget for expenses that the proponents may incur for the recall attempt (Los Angeles County does not charge any fees for filing a recall petition).
- e. Recommended to notify proponents of the recall that signatures on a Notice of Intention cannot be removed.

8. Steps to Initiate a Recall

Each recall is a separate process and requires successful completion of specific steps (described on the flow chart in [Appendix A](#)). Please note if there are multiple officers to be recalled, each of the following documents must be prepared separately by the proponent(s) of the recall for each officer. (E.C. §§11021 and 11044):

- Notice of Intention
- Affidavit of Time and Manner of Service
- Affidavit of Proof of Publication (or Posting, if applicable) of the Notice of Intention
- Set of Two Blank Copies of the Proposed Petition Formats
- Recall Petition

Any error or discrepancy in following any of the steps in connection with a particular recall may require that some or all steps taken up to that point be re-initiated. Again, recall proponents may wish to consult an attorney to help avoid such errors.

When multiple recalls are under way, petition circulators will typically circulate several petitions, and request voters to sign each of however many petitions are involved. Not all voters will choose to sign each petition, meaning that when the petitions are filed with the county elections official, the total number of signatures submitted for each recall petition may vary.

9. Cost of a Recall Election

The cost of a recall election is charged to the government agency whose officials are sought to be recalled. Jurisdictions that are responsible for the administration of elections may contact the county elections official for an estimate of the cost. If the recall election can be consolidated with a regularly scheduled election or another special election, the cost may be considerably reduced.

II. INITIATING THE RECALL

1. Preparing the Notice of Intention

The initial step for proponents interested in recalling an elected officer is the drafting of a Notice of Intention (E.C. §11020). The Notice of Intention must consist of the following:

- ✓ The name and title of the officer sought to be recalled.
- ✓ A statement, not to exceed 200 words in length, expressing the reasons for the proposed recall. (See ✓ **Appendix B** for the rules on counting words.)
- ✓ The printed name, signature, and residence address, including street and number, city, and ZIP Code, of each of the proponents of the recall. **Note:** If a proponent cannot receive mail at their residence address, an alternate mailing address should be provided.
- ✓ The language contained in elections code §11023 informing the officer of their right to file an answer.

A sample Notice of Intention form is included in **Appendix C**. The number of proponents required to sign the Notice of Intention is the following (E.C. §11020(b)(1)(2)(3)):

(b) (1) For a state office, and for a local office where the number of registered voters in the electoral jurisdiction is at least 100,000, the minimum number of proponents listed on the notice of intention is 50, or equal to five times the number of signatures required to have been filed on the nomination paper of the officer sought to be recalled, whichever is higher (Recalls for State Offices, must be filed with the State).

(2) For a local office where the number of registered voters in the electoral jurisdiction is at least 1,000 but less than 100,000, the minimum number of proponents listed on the notice of intention is **30**, or equal to three times the number of signatures required to have been filed on the nomination paper of the officer sought to be recalled, *whichever is higher*.

(3) For a local office where the number of registered voters in the electoral jurisdiction is less than 1,000, the minimum number of proponents listed on the notice of intention is **30**.

For example, in the case of a county elected office, the minimum number of signatures required on the nomination petition is 20 (E.C. §8062(a)(3)); hence the minimum number of proponents required to sign the recall's Notice of Intention is 60.

All proponents must be registered to vote in the jurisdiction and eligible to vote for the officer they seek to recall (E.C. §11005).

2. Serving the Notice on the Officer

A **copy** of the Notice of Intention must be served by personal delivery or by certified mail on the officer sought to be recalled (E.C. §11021). If serving by certified mail, recall proponents are advised to obtain from the county elections official the officer's most current and correct mailing address.

3. Filing the Notice and Proof of Service

The **original** Notice of Intention must be filed with the county elections official within seven (7) days of the officer having been served, along with an affidavit of time and manner of service. (See **Appendices D and E** for examples of affidavits used for personal delivery and certified mail, respectively.) A separate Notice of Intention shall be filed for each officer sought to be recalled.

The affidavit of Proof of Service by Certified Mail (**Appendix E**) *attests* to the date the Notice of Intention was *mailed*, the name of the officer sought to be recalled (e.g., School District Superintendent) and their mailing address.

4. Publishing the Notice

Proponents are also required to publish, *at their expense*, a copy of the Notice of Intention (including addresses and signatures) at least once in a newspaper of general circulation serving the jurisdiction of the officer whose recall is being sought (E.C. §§ 11022 and Government Code §6061, et. seq.). Proof of publication is required at the time the two blank copies of the petition are filed (E.C. §11042(b)). The proponents must request and obtain from the newspaper a signed affidavit proving publication. This document will need to be filed with the county elections official **within 10 days** after the filing of the answer (*of the officer sought to be recalled*) to the Notice of Intention (E.C. §11042).

Public Posting of the Notice of Intention

If publication is not possible, the Notice of Intention shall be posted in at least three (3) public places within the jurisdiction of the officer whose recall is being sought. (Posting is allowed only if there is no newspaper of general circulation able to provide **timely** publication). If posting is used, an affidavit (**see Appendix I**) attesting to the postings will be required to be filed with the county elections official.

5. Officer's Answer

The officer has the right to provide a response to the Statement of Reasons contained in the proponents' Notice of Intention (E.C. §11023). Should the officer choose to file an answer, the response is limited to 200 words and must be filed with the county elections official within seven (7) days after the filing of the Notice of Intention by the proponents. The answer must be signed by the officer and must include the officer's printed name and business or residence address. Within that same seven (7) day period, the officer shall also serve a copy of their response on one of the proponents named in the Notice of Intention. Service is to be by personal delivery or certified mail (E.C. §11023). (There is no requirement that the officer file any proof of service with the county elections official.)

Note to proponents: In the event that the officer's answer is not received by any proponent, contact the county elections official as the officer's answer must also be filed there by the same deadline. It is the proponents' responsibility to verify with the county elections official whether or not an answer has been filed prior to proceeding to the next step in the recall process.

6. Campaign Finance Reporting

Both the recall proponents who organize to qualify a recall for the ballot as well as those who organize to oppose such a recall effort will have campaign disclosure and filing obligations under state law. **See Section X, Part 7, "Campaign Finance Reporting Requirements and Limitations"** for additional information.

7. 10-day Public Examination Period

Pursuant to elections code section 11042.5 (a) For a petition for the recall of a local officer, the county elections official shall make a copy of the petition available for public examination in the elections official's office for 10 days, which shall run concurrently with the 10-day review period for the elections official to determine whether the form and wording of the petition are sufficient pursuant to Section 11042.

Additionally, pursuant to elections code section (b) (1) During the public examination period described in subdivision (a), a voter of the applicable electoral jurisdiction or the elections official may seek a writ of mandate or an injunction requiring any or all of the statement of the proponents or the answer of the officer included with the petition to be amended or deleted.

The writ of mandate or injunction request shall be filed no later than the end of the 10-day public examination period. (2) A peremptory writ of mandate or an injunction shall issue only upon clear and convincing proof that the material in question is false, misleading, or inconsistent with the requirements of this chapter.

(Added by Stats. 2022, Ch. 791, Sec. 5. (AB 2584) Effective January 1, 2023.)

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III. BUILDING THE PETITION

1. Overview

The language and design of the recall petition are strictly controlled by the Elections Code (§§100, 100.5, 11040, 11041, 11043, 11043.5 and 11046).

See **Appendix F** for a sample recall petition form. This sample is also provided in *"Procedures for Recalling State and Local Officials"* published by the Secretary of State.

Important Note: Before proceeding with the circulation of any recall petition, the proponents are required to file two (2) blank copies of the petition format with the county elections official, who shall ascertain if the proposed form and wording of the petition meets the requirements of the Elections Code (E.C. §11042).

2. Format of the Recall Petition

The recall petition format provided by the Secretary of State or county elections official is mandatory and must be used (E.C. §§11041 and 11043.5).

The recall petition may consist of any number of separate sections, which must be duplicates except as to signatures and matters required to be affixed by signers and circulators. The number of signatures attached to each section is left up to the discretion of the person soliciting the signatures. Each section may consist of any number of separate pages. One page is defined as one side of a sheet of paper on which any signatures appear (E.C. §11040).

a. Heading

A margin at least one inch wide shall be left across the top of each page and a margin at least one-half inch wide shall be left blank along the bottom of each page (E.C. §§100 and 11043). All petition sections must be printed in uniform size and darkness with uniform spacing (E.C. §11041(b)). Each side of a sheet of paper on which signatures appear must include, in no less than 8-point type:

- Language requesting that an election be called to elect a successor.
- Copy of the Notice of Intention, including the statement of reasons for the recall. (The Notice of Intention which appears on the petition must be identical to what was published, with the exception of the language pertaining to the officer's right to file an answer).
- The **names** of at least ten (10) of the proponents listed on the Notice of Intention (signatures and addresses do not need to be included).
- The officer's answer, if any. If no answer was filed, the petition must so state.
- For a recall of a member of the governing board of a school district, the estimate of the county elections official, in consultation with the school district, of the cost of conducting the special election.
- The petition shall not include a request for a successor to be elected or appointed if the officer sought to be recalled is a local officer.

b. Official Top Funders Disclosure Requirements

For any recall petition for which the circulation is paid for by a committee formed pursuant to Government Code 82013, an Official Top Funders disclosure shall be included on the petition or in a separate document presented to a prospective signer of the petition (E.C. § 107 (b)). If the petition does not include the disclosure statement described by subdivision (b) of Section 107, the following text on a separate horizontal line below the signer's printed name and above the signer's signature: "DO NOT SIGN UNLESS you have seen Official Top Funders sheet and its month is still valid." The text "DO NOT SIGN UNLESS" shall be in all capitals and in boldface. The other text shall be capitalized

as shown and shall not be in boldface.

Elections officials are not required to verify the accuracy of the information or to reapprove the petition upon any updates the committee makes (E.C. § 107(g)).

c. Signature Space

Immediately above the signature space(s), the following statement shall appear: "Each of the undersigned states for himself/herself that he or she is a registered and qualified elector of the [insert name of electoral jurisdiction, e.g., Mountain Water Agency, Division 1] of [insert name of geographical location, e.g., County of Los Angeles], California."

Note to proponents: When a petition is circulated in more than one county, each section of the petition shall bear the name of the county in which it is circulated, and only registered voters of that county may sign that section (E.C. §11047).

The petition must be designed so that each signer can personally affix their:

- printed name
- signature
- residence address, including street and number, or if no street or number exists, adequate designation of residence so that the location may be readily ascertained.
- name of the incorporated city or unincorporated community in which they reside (E.C. §11043)
- If the petition does not include the disclosure statement described by subdivision (b) of Section 107, the following text on a separate horizontal line below the signer's printed name and above the signer's signature: "DO NOT SIGN UNLESS you have seen Official Top Funders sheet and its month is still valid." The text "DO NOT SIGN UNLESS" shall be in all capitals and in boldface. The other text shall be capitalized as shown and shall not be in boldface.

Pursuant to the California Supreme Court's decision in Assembly v. Deukmejian (1982) 30 Cal.3d 638, 180 Cal.Rptr. 297, the petition form must direct signers to include their "residence address" rather than "address as registered" or other address. Noncomplying petition forms will be rejected as invalid.

Signature spaces must be consecutively numbered, commencing with the number "1" for each petition section. A space at least one inch wide must be left blank at the right margin of the page after each name and address for the use of the county elections official in verifying the petition.

d. Declaration of Circulator

Each section of the petition must have attached to it a declaration signed by the circulator (person soliciting signatures) of that section of the petition, setting forth in the circulator's own hand, all of the following (E.C. §§104 and 11046):

- the printed name of the circulator
- the residence address of the circulator, including street and number, or if no street exists, adequate designation of residence so that the location may be readily ascertained.
- the dates between which all signatures to the petition were obtained.

The declaration signed by the circulator must also include the following statements (as shown on **Appendix F**):

- the circulator circulated that section and witnessed the appended signatures being written and that according to the best information and belief of the circulator, each signature is the genuine signature of the person whose name it purports to be (use the statement as shown on the sample petition, **Appendix F**).
- the circulator is 18 years of age or older.
- the circulator certifies to the content of the declaration as to its truth and correctness, under penalty of perjury. The circulator shall state the date and the place of execution on the declaration along with their signature.

3. Filing of Blank Copies of the Petition and Proof of Publication

Two blank copies of the recall petition must be filed with the county elections official within ten (10) days after the filing of the officer's answer, if any. If no answer was filed, the copies are due within ten (10) days after the deadline for the officer to file an answer (E.C. §11042). The affidavit attesting to the proof of publication (or posting, as applicable) of the Notice of Intention is also due at this time (E.C. §11042). Pursuant to elections code section 11042.5 (a) For a petition for the recall of a local officer, the county elections official shall make a copy of the petition available for public examination in the elections official's office for 10 days, which shall run concurrently with the 10-day review period for the elections official to determine whether the form and wording of the petition are sufficient pursuant to Section 11042.

4. Review of the Petition Format

The county elections official shall review the petition format within ten (10) days of its filing and notify the proponents in writing that the petition met the necessary requirements for circulation or requires modification (E.C. §11042(b)). If changes are necessary, the proponents shall, within ten (10) days of receiving notification from the county elections official, file two blank copies of the *corrected* petition with the county elections official. This 10-day period for notifying the proponents of corrections and 10-day filing period for proponents to submit corrected petitions shall be repeated until the county elections official finds that no further alterations are necessary (E.C. §11042(c)). Pursuant to E.C. 11042

IV. SIGNATURE REQUIREMENTS AND CIRCULATION DEADLINES

1. When Circulation of the Recall Petition May Begin

Proponents may not begin collecting signatures until the form and wording of the recall petition has been reviewed by the county elections official to meet the requirements of the Elections Code (E.C. §11042(d)). The time period available for circulating the petition is measured from the day the county elections official notifies the proponents that the petition meets the form and wording requirements (E.C. §11220(a)).

2. Number of Days to Circulate Petition

The circulation period for a recall petition is calculated on a sliding scale based on the number of registered voters in the electoral jurisdiction eligible to vote for the officer subject to recall (E.C. §11220), as follows:

<u>Registration</u>	<u>Number of Days to Circulate</u>
Under 1,000	40
1,000 - 4,999	60
5,000 - 9,999	90
10,000 - 49,999	120
50,000 and above	160

3. Number of Signatures Needed

The number of valid signatures required on a recall petition to qualify and trigger a recall election is also calculated on a sliding scale based on the number of registered voters in the electoral jurisdiction eligible to vote for the officer subject to recall, as follows (E.C. §11221):

<u>Registration</u>	<u>Signatures Needed (as % of Total Registered Voters)</u>
Under 1,000	30%
1,000 - 9,999	25%
10,000 - 49,999	20%
50,000 - 99,999	15%
100,000 and above	10%

The number of registered voters shall be determined using the last official report of registration submitted by the county elections official to the Secretary of State prior to the approval of the petition for circulation (E.C. §11221(b)).

Superior Court Judges (trial court)

An exception to the above occurs in the case of superior court judges, where the signature requirement is 20% of the total number of *VOTES CAST* for all candidates in the last election for that office (Cal. Const. Art. II, Sec. 14(b)).

Often, incumbent superior court judges may not appear on the ballot for several election cycles because they had no opposition in the election (E.C. §8203). The number of signatures needed on the recall petition is then calculated as 20% of the total number of *VOTES CAST within that judicial jurisdiction* (countywide for Superior Court) for the countywide offices of Sheriff, District Attorney, or Assessor, whichever had the *least* number of *VOTES CAST* in the most recent general election. "Countywide office" is defined as "an elective office wholly within the county, which is voted on throughout the county" (E.C. §11221(c) (1) and (2)), this does not include the Board of Supervisors since the offices are elected by district and not countywide.

4. Withdrawal of Signatures from Petitions

Any voter who has signed a recall petition who wishes to have [their] signature withdrawn from the petition may file a written request with the county elections official no later than the day before the petition is filed (E.C. §§103 and 11303).

The written request must identify the subject of the recall petition, clearly indicate the requestor indeed signed such petition and contain the person's name, residence address and signature.

Note: The county elections official will have no way of knowing with certainty when the proponents will choose to file their recall petitions. Consequently, the county elections official will not be able to advise persons who wish to withdraw their signatures regarding any "deadline" for filing their requests – other than the fact that the request must be received no later than the day before the petition is filed.

V. COLLECTING SIGNATURES

1. Who Can Circulate a Recall Petition?

A person shall not circulate a state or local initiative, referendum, or recall petition or nominating paper unless the person is 18 years of age or older (E.C. §102).

2. Who Can Sign a Recall Petition?

Only registered voters who, at the time of signing the recall petition, are qualified to vote for the officer whose recall is sought, can sign a recall petition (E.C. §§322 and 11045). Each signer must personally sign and print their name and *residence* address, including street and number (or, if no street and number exists, an explanation of how to locate the place of residence) (E.C. §§100 and 11045).

A voter who is *physically unable* to sign a petition may request someone else to print the voter's name and residence address on the petition. The voter must then affix [their] mark in the appropriate space on the petition and have one person witness the mark by signing their name on the same line next to the mark (E.C. §100.5, Govt. Code 16). According to the Secretary of State's legal counsel, the witness does not have to be registered to vote, and the circulator may also serve as a witness.

If a recall petition is circulated in more than one county, a separate section should be used for each county. Each section of the petition must include the name of the county in which it is circulated, and only registered voters of that county may sign that section. (See E.C. §11047 and **Section III, Part 2, "Format of the Recall Petition"** for additional information.)

3. Registering or Re-registering Potential Signers

For potential signers who are eligible but currently not registered to vote, or for those who are registered but have since moved, completing a voter registration card will ensure their signature on a recall petition can be counted as valid. For this to work, the new registration card must be signed on or before the date the voter signs the petition *and* the registration card itself must be received by the county elections official on or before the date the petition is filed (E.C. §2102(b)).

Note to proponents: It will assist the county elections official in verifying signatures on the petition if the circulator notes in the left-hand margin of the petition, adjacent to the signature, the affidavit numbers of the newly-completed registration cards and notifies the county elections official at the time of delivery that these registration cards are related to the specific petition. Proponents should also be aware that completed registration cards must be delivered to the county elections official within three (3) days of receipt from the voter (E.C. §2138).

4. Declaration of Circulator

The circulator must personally affix – in their own handwriting – their printed name and residence address and the specific dates of circulation of each petition section in every circulator's affidavit. Preprinted dates or generalized dates, other than the particular range of dates on which the petition section was circulated, are not authorized (E.C. §§104 and 11046).

5. Including a "Cushion" to Allow for Invalid Signatures

Proponents need to allow for invalid signatures by including extra signatures above and beyond the minimum needed to qualify the petition.

6. Causes of Invalid Signatures

Signatures that appear on the petition may be determined to be invalid for a number of reasons. Some of the most common are listed below (E.C. §§100, 105, 321 and 359):

- The signer is not eligible to vote for the officer whose recall is being sought.
- The signer has moved since last registering to vote and failed to re-register.
- The signer writes in a P.O. Box or business address as their address of residence.
- The signer signs the petition more than once. Only the first signature encountered during verification will count; moreover, any duplicate signatures found in the "random sample" are penalized under the sufficiency formula (see **Section VII, "Verification of Petition Signatures"** for additional information).
- The residence address appearing on the petition was "pre-printed" and not written in personally by the signer.
- The signer's signature does not appear to match the signature on the voter registration card on file with the county elections official.

Note: Certain defects in the declaration of the circulator, such as failure of the circulator to sign the declaration (see E.C. §§104 and 11046), may invalidate all signatures appearing on that section. Recall proponents should advise their circulators of the importance of fully and accurately completing the declaration. Circulators should be advised that under no circumstances should they make any changes or "corrections" to the signatures or addresses that the voters have written on the petition.

In verifying petitions, the county elections official may use the most current version of the Secretary of State's *"Official Petition Verification Guidelines."*

7. Legibility of Signatures

To ensure that signatures are readable, use a firm writing surface beneath the petition page being signed and ball point pens, not felt tip markers. If circulating recall petitions against multiple officeholders, printing the recall petitions on lightly-tinted colored paper with a different color for each office is suggested.

8. Circulation of Recall Petitions on Private Property

Petition circulators often seek to circulate petitions at shopping centers and other private property. As shopping centers are private property, the courts have had to balance the private property rights of the shopping center owners against the free speech and petition rights of petition circulators. Both supporters and opponents of a recall are advised to contact the property manager or owner in advance of circulating petitions and to seek legal counsel when issues arise as to their speech and petitioning rights at shopping centers or private property.

9. Penal Provisions

The following are selected penal provisions relating to circulation of recall petitions. (See E.C. §§18600 et seq. for all the relevant code sections.)

a. Provisions Relating to Circulators

It is a misdemeanor for anyone circulating a recall petition to intentionally misrepresent or make a false statement concerning the contents, purport or effect of any petition, or the petition's Official Top Funders disclosure required by section 107, to any person who signs, desires to sign, is requested to sign, or who makes inquiries with reference to it, or to whom it is presented for the person's signature. It is also a misdemeanor to willfully and knowingly circulate, publish, or exhibit any false statement or misrepresentation concerning the contents, purport, or effect of any recall petition for the purpose of obtaining any signature to, or persuading or influencing any person to sign, that petition (E.C. §18600).

Any person working for the proponents of a recall petition who refuses to allow a prospective signer to read the petition is guilty of a misdemeanor (E.C. §18601).

Every person who offers or gives money or other valuable consideration to another in exchange for [their] signature on a recall petition is guilty of a misdemeanor (E.C. §18603).

No one shall knowingly or willfully permit the list of signatures on a recall petition to be used for any purpose other than qualification of the recall question for the ballot. Violation is a misdemeanor (E.C. §18650).

b. Provisions Relating to Fraudulent Signatures

Every person who solicits any circulator to affix to a recall petition any false or forged signature or causes or permits a false or forged signature to be affixed, is guilty of a misdemeanor (E.C. §18610).

Anyone who circulates or causes to be circulated a recall petition knowing it to contain false, forged, or fictitious names is punishable by a fine not exceeding \$5,000, or by imprisonment in state prison for 16 months or two or three years, or incarceration in a county jail not exceeding one year, or by both fine and imprisonment (E.C. §18611).

Every person who knowingly signs [their] name more than once to a recall petition, or signs [their] name to that petition knowing [themselves] at the time of signing not to be qualified to sign it, is guilty of a misdemeanor (E.C. §18612).

Every person who subscribes to any recall petition a fictitious name, or who subscribes thereto the name of another, or who causes another to subscribe such a name to that petition, is guilty of a felony and is punishable by imprisonment in the state prison for two, three, or four years (E.C. §18613).

Every person who files with the county elections official any recall petition to which is attached any signature which the person filing the petition knows to be false or fraudulent or not the genuine signature of the person whose name it purports to be is punishable by a fine not exceeding \$5,000, or by imprisonment in the state prison for 16 months or two or three years, or incarceration in a county jail not exceeding one year, or by both the fine and imprisonment (E.C. §18614).

c. Threats to Prevent Petition Circulation or Filing

Every person who threatens to commit an assault or battery on a person circulating a recall petition or on a relative of such a person or threatens to inflict damage on the property of the circulator or relative, with the intent to dissuade the circulator from circulating the petition or in retribution for the circulation, is guilty of a misdemeanor (E.C. §18630).

VI. FILING THE RECALL PETITION

All sections of the recall petition circulated within a particular county must be filed at the same time with that county's elections official. No additional signatures may be filed or accepted after that time. The petition sections must be filed, including attached "Recall Petition cover sheet and form (Appendix G)", by the proponents or by any person or persons authorized in writing by a proponent. A copy of the written authorization must be included with the filing (E.C. §11222(a)). If the elections official determines that the number of signatures on its face appears to be equal to or greater than the minimum required, the petition will be accepted for filing. If the number is less than the minimum required, the petition will not be accepted for filing and will be returned to the proponents (E.C. §11222(b)). If the petition was circulated in more than one county, the elections official of each county shall affix, with the certificate showing the results of [their] examination, the number of registered voters of the county residing within the electoral jurisdiction of the officer sought to be recalled (E.C. §11223).

VII. VERIFICATION OF PETITION SIGNATURES

The county elections official has 30 days from the date of the filing of the petition, excluding Saturdays, Sundays, and holidays, in which to examine it and determine the total number of valid signatures (E.C. §§11224 and 11225). The examination involves verifying the validity of all the signatures on the petition (E.C. §11224) or verifying a random sample of 500 or 5%, whichever is greater, and determining the sufficiency of the petition through the statistical method provided in E.C. §11225. For greater expedience and cost effectiveness, elections officials typically choose the latter when presented with petitions with large volumes of signatures.

If the number of valid signatures, as determined by the random sample, is equivalent to 90- 110% of the number needed to qualify the recall for the ballot, the elections official is required to conduct a 100% signature examination of the petition. If the random sample shows that the number is less than 90%, the petition will be certified as insufficient. If it is over 110%, the petition will be certified as sufficient (E.C. §11225).

VIII. CERTIFYING THE RESULTS OF SIGNATURE VERIFICATION

1. Insufficient Number of Valid Signatures

If the petition is found to contain an insufficient number of valid signatures to qualify the recall for the ballot, no further action is taken, and the petition remains on file (E.C. §11226).

No insufficiency in a petition against any officer shall bar the later filing of a new petition against that officer (E.C. §11300).

2. Sufficient Number of Valid Signatures

If the petition is found to have a sufficient number of valid signatures to qualify the recall for the ballot, the county elections official will certify the results of the signature examination to the governing body for consideration at its next regular meeting (E.C. §§11224, 11225 and 11227). The certificate shall contain all of the following:

- the name of the officer whose recall is sought

- the title of [their] office
- the number of signatures required by law
- the total number of signatures on the petition
- the number of valid signatures on the petition
- the number of signatures that were disqualified

3. Restrictions on Access to Recall Petitions

Some voters may have concerns about possible harassment if they sign an initiative, a referendum, and/or a recall petition. Government Code Sec. 6253.5 provides that such petitions (and any memoranda prepared by the elections official in examining the petitions) are not deemed to be public records and are not open to inspection. There are two exceptions:

- Employees of the county elections official responsible for verifying the signatures; and
- Recall proponents, should the petition be deemed insufficient and fail to qualify for the ballot. In that event, proponents have the right to examine those signatures found to be invalid and the reasons therefore. "Proponents" are those individuals listed on the Notice of Intention or a person authorized in writing by the proponent. Any such examination shall begin within 21 days following a certification of insufficiency (E.C. §11301).

IX. RESIGNATION OF OFFICER

If the officer whose recall is being sought resigns (or a vacancy occurs for any other reason) at any time following the filing of the recall petition, the recall process will nevertheless proceed. Anyone appointed to fill the vacancy serves only until a successor is selected and qualifies for the office (E.C. §11302).

X. THE RECALL ELECTION

1. Calling the Election

Within 14 days after the meeting at which the governing body considers the certificate of sufficiency received from the county elections official, the governing body is to issue an order calling for an election (E.C. §11240). If the governing body fails to act within those 14 days, the county elections official shall call for the election within five days. A recall election shall be conducted, canvassed, and the results declared in substantially the manner provided by law for a regular election for the office (E.C. §11328). One election is sufficient for the recall of several officers (E.C. §11329). If the recall is to be voted on by voters in more than one county, the elections official of the county with the largest number of registered voters who will be voting in the election shall set the date in consultation with elections officials of the other counties (E.C. §11241).

In any case, the election must be held between 88 and 125 days from the date of the order (E.C. §11242). Also, no election shall be held on any day other than Tuesday or the day before, the day of, or the day after a state holiday (E.C. §1100).

Note: If a regular or special election is to be held throughout the electoral jurisdiction of the officer sought to be recalled within this time period, the recall election shall be held on the same day (E.C. §11242).

2. Filing Requirements for Candidates

Once the recall election is called, there will be a nomination period for candidates to file for election to that office.

Exception: Although it is clear that superior court judges are subject to recall, Article VI, Section 16 of the California Constitution creates some legal uncertainty as to whether the successor to a recalled judge is elected by the voters or appointed by the Governor. If it is the latter, the need for a contest involving successor candidates is eliminated. This question was first raised in 1997 in Nevada County but was never resolved since the recall petition never qualified for the ballot. Therefore, it is suggested that elections officials seek their own legal counsel to clarify this issue, should it arise.

The nomination period must not open before the day the order of election is issued and must close no later than the 75th day before the election. If the county elections official is required to certify to the governing board the names of candidates to be placed on the ballot, it shall be done by the 71st day prior to the election (E.C. §11381(b)). The officer whose recall is being sought may not be a candidate to succeed [themselves] or any other member of the same governing board that is also the subject of recall (E.C. §11381(c)). However, the officer may submit a statement for publication in the sample ballot booklet (E.C. §§11327, 13307).

Note: The nomination period for recall elections may very likely be truncated. For example, the election could be called to be held in the minimum 88 days. Since the nomination period under any circumstances must close on the 75th day (E.C. §11381b), the nomination period could consist of just 14 days.

Nomination petitions may or may not be required of candidates, depending on the office held by the incumbent. The number of nominating signatures, if any, will be the same as required of candidates seeking that particular office in a regular election (E.C. §11381). Check with the county elections official regarding this requirement.

There are no filing fees for school or special district offices. The filing fee for County Supervisor and other countywide offices is 1% of the officer's annual salary (E.C. §8104(b)).

a. Signature in Lieu of Filing Fee Petitions

If there is a filing fee, petitions in lieu of payment of that fee must be made available to candidates, who may circulate these petitions and gather signatures for credit to offset the fee.

b. Candidate Qualifications

In addition to filing nomination documents (declaration of candidacy and nomination petition), each candidate may have to provide documentation concerning their qualifications (E.C. §13.5).

c. Candidate Statements

Candidate statements for publication in the sample ballot booklet are optional. The cost of statements in a recall election will be determined by the county elections official once the election has been called. For candidates, the statement is due at the time their nomination papers are filed (E.C. §13307(a)(2)). The officer whose recall is being sought may also submit a statement for inclusion in the sample ballot booklet (E.C. §11327). The statement must be filed no later than 5:00 p.m. on the last day of candidate filing.

All candidate and incumbent statements shall remain confidential until the close of the filing period at 5:00 p.m. on the last day of candidate filing.

3. Design of the Ballot

The question on the ballot will be: "Shall [name of officer sought to be recalled] be recalled (removed) from the office of [title of office]?" with the voter marking either "Yes" or "No" (E.C. §11320). Below the question will appear the names of the candidates who have filed to seek election

to the office, in the event the recall is successful. Appropriately identified write-in spaces must also be provided (E.C. §11322).

If there are multiple recalls that have qualified for the ballot, the list of candidates to succeed to one office would be followed by the recall question for the next office, and so on. Candidates will be listed in randomized alphabet order based upon a drawing of letters by the Secretary of State. In the case of candidates for countywide office, they will be listed in randomized alphabet order and then rotated in conformance with E.C. §§13111(g) and 13112.

4. Official Sample Ballot Booklet

The Official Sample Ballot Booklet shall include both the statement of reasons for the recall (from the Notice of Intention) and the officer's answer, if one was filed. The statement and answer shall be printed on the same page or on facing pages and shall be of equal prominence (E.C. §11325).

If the recall of more than one officer is sought, the statement and answer for each shall be printed together and clearly distinguished from those of any other (E.C. §11325).

5. Majority Vote Required to Recall the Officer

If the majority vote is "yes" on the question to recall, the officer shall be removed from office upon the certification of election results and the swearing-in of [their] successor (E.C. §11384).

6. Plurality Vote to Elect a Successor

If the officer is recalled, the candidate receiving the greatest number of votes shall be elected to the remainder of the recalled officer's term. There is no runoff election (E.C. §11385).

If the candidate with the highest number of votes fails to qualify within ten days after receiving [their] certificate of election, the office to which [they were] elected shall be vacant, and shall be filled according to law (E.C. §11386).

7. Campaign Finance Reporting Requirements and Limitations

The recall proponents who organize to qualify a recall for the ballot and those who oppose the recall effort, as well as any candidates, will have to meet the filing obligations and campaign disclosure requirements required by the state Political Reform Act, and any additional limitations or requirements established by local ordinance. It is imperative for all parties involved with a recall to check with the county elections official on any and all applicable state and local laws in this regard.

To obtain additional information about specific disclosure requirements, contact the state Fair Political Practices Commission (FPPC), which enforces the Political Reform Act, by phone at (916) 322-5660. The FPPC's address is 428 "J" Street, Suite 620, Sacramento, California 95814 and the website is: www.fppc.ca.gov.

XI. AFTER THE ELECTION

1. Repeating a Recall if the Officer is Not Recalled

If the recall election is conducted and the officer is not recalled, a new recall may not be commenced against the officer within six months of that election nor during the last six months of the officer's term of office (E.C. §11007).

2. Right of the Recalled Officer to Run in Future Elections

A successful recall election applies only to the current office. There is nothing in the law to prevent a public official recalled in one election from running for the same or any other office in an election for a subsequent term of office.

[illegible]

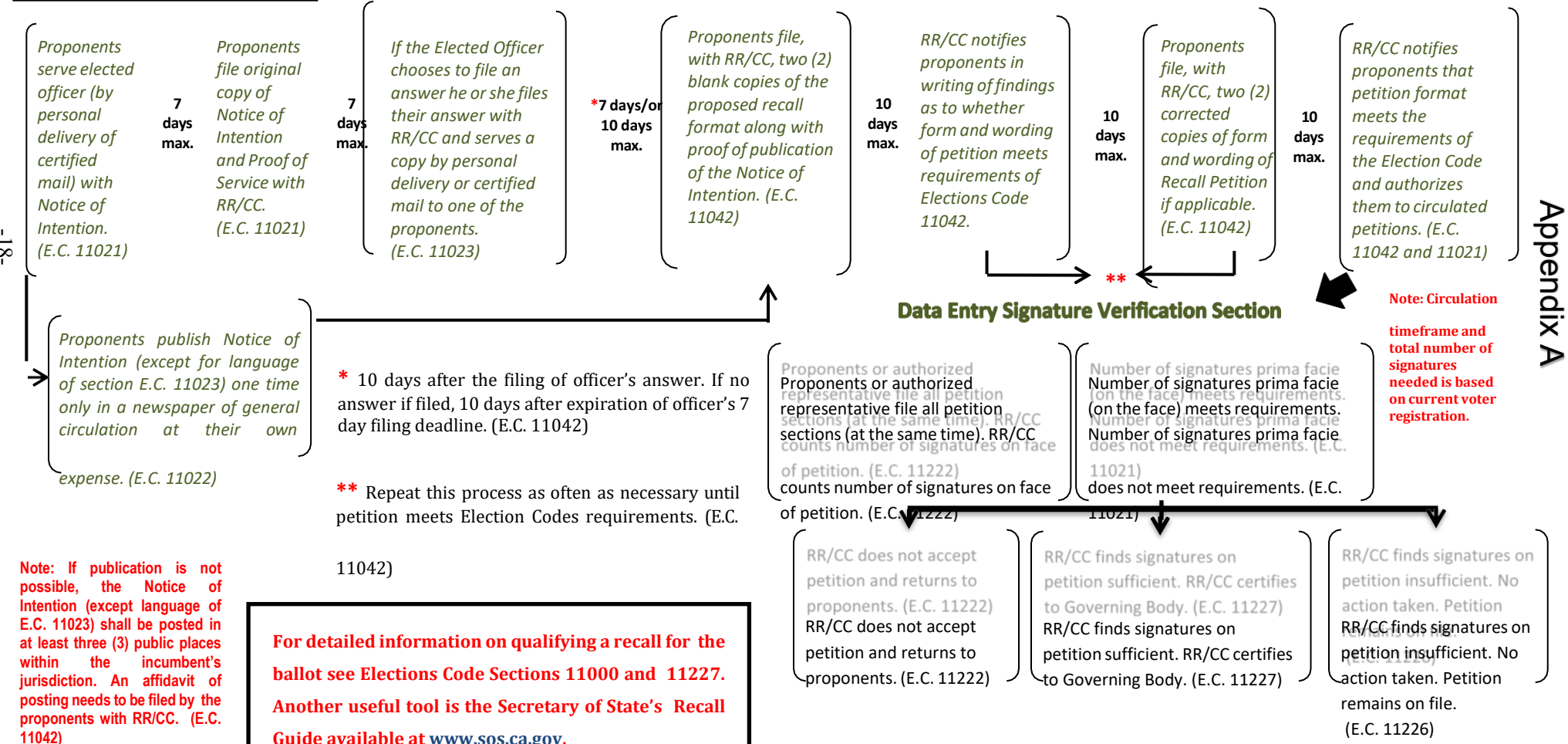
Continue to the next page.

Recall Petition Process and Workflow

STEPS AND TIME FRAMES INVOLVED IN PREPARING AND CIRCULATING THE RECALL PETITION

This publication is for the recall of elective officers for counties, school districts, county boards of education, community college districts, special districts and judges of superior courts. It is also general information only and does not have the force and effect of law, regulation, or rule. In case of conflict, the law, regulation, or rule will apply. Interested persons should obtain the most up-to-date Information available because of possible changes in law or procedure following the publication of this information.

Election Coordination Unit



Appendix B

WORD COUNTING GUIDELINES

(Elections Code Chapter 1, General Provisions, Section 9)

The following guidelines are used by the Registrar-Recorder/County Clerk's Office for counting words on candidate statements, ballot measure text, arguments, rebuttals and other ballot enclosures. The guidelines do **not** apply to ballot designations for candidates. If the text exceeds the specified 200 or 400 word limit, the author will be asked to delete words or change text until the statement conforms with requirements.

1. **PUNCTUATION MARKS** are not counted. Symbols such as "&" (and), and "#" (number/pound) are not considered punctuation and each symbol is counted as one (1) word.
2. **THE WORDS** "I", "a", "the", "and", "an" are counted as individual words.
3. **PROPER NOUNS**, such as geographical names, and names of persons or things, as one (1) word.
EXAMPLE: "Gus Wright" = 1 word
"City of Los Angeles" = 1 word "Dalai Lama" = 1 word
4. **ABBREVIATIONS** such as acronyms or abbreviations for a word, phrase, or expression are counted as one (1) word.
EXAMPLE: UCLA, PTA, USMC, LAPD, U.S.M.C.
5. **HYPHENATED WORDS** that appear in any generally available standard reference dictionary published in the U.S. at any time within the last 10 calendar years immediately preceding the election are counted as one (1) word.
EXAMPLE: Attorney-at-law
6. **DATES** are counted as one (1) word.
EXAMPLE: July 21, 1983 18 June 1987 3/18 7/21/89
7. **NUMERIC COMBINATIONS** are counted as one (1) word.
EXAMPLE: 1973 13 1/2 1971-73 5% 8/3/73 #14
8. **MONETARY AMOUNTS** consisting of a combination of digits are counted as one (1) word.
EXAMPLE: \$1,000.00

MONETARY AMOUNTS consisting of a combination of words and digits are counted as two (2) words.
EXAMPLE: \$4 million
9. **TELEPHONE/FAX NUMBERS** are counted as one (1) word.
EXAMPLE: 1-800-815-2666 1-562-462-2317
10. **INTERNET WEB SITES/E-MAIL ADDRESSES** are counted as one (1) word.
EXAMPLE: <http://www.co.la.ca.us> www.lavote.net <http://www.lacounty.info>

Appendix C

NOTICE OF INTENTION TO CIRCULATE RECALL PETITION¹

TO THE HONORABLE _____ (see footnote²) :
Pursuant to Section 11020, California Elections Code, the undersigned registered qualified voters of _____ (see footnote³) , in the State of California, hereby give notice that we are the proponents of a recall petition and that we intend to seek your recall and removal from the office of _____ (see footnote⁴) , in _____ (see footnote³) . The grounds for the recall are as follows:

(STATE GROUNDS, 200 WORDS OR LESS)

The printed names, signatures, and residence addresses of the proponents are as follows: (The least possible number of proponents is 30, however, more than 30 may be required by law.)

	NAME	ADDRESS	SIGNATURE
1....			
2. ...			
3. ...			
4. ...			
.....			
.....			
30. (or more. See footnote ⁶)			

Telephone number to contact proponents (Optional) () _____ - _____

The original notice and proof of service will be filed with the _____ (see footnote⁷) .

Elections Code section 11023. (a) Within seven days after the filing of the notice of intention, the officer sought to be recalled may file with the elections official, or in the case of a state officer, the Secretary of State, an answer, in not more than 200 words, to the statement of the proponents.

(b) If an answer is filed, the officer shall, within seven days after the filing of the notice of intention, also serve a copy of it, by personal delivery or by certified mail, on one of the proponents named in the notice of intention.

(c) The answer shall be signed and shall be accompanied by the printed name and business or residence address of the officer sought to be recalled.

1 Caution: The Notice of Intention must be published by proponents and proof of publication must be filed at the time of filing the two blank copies of the petition with the election official or, in the case of a recall of a state officer, with the Secretary of State. The Notice of Intention, publication and blank copies of the Petition will be compared and scrutinized for accuracy. Any deviation from the text of the Notice of Intention may result in rejection of the petition.

2 Insert here the name of the person whose recall is being sought.

3 Insert here the name of the county, city or district for the office.

4 Insert here the name of office held.

5 To determine the necessary number of proponents, see Elections Code Section 11020(b). Check with your election official to determine the actual number of signatures. Each proponent must provide their complete residence address, including street and number, city, and ZIP Code.

6 Secretary of State (should be filed with the State, Not County), County Elections Official, City Clerk, Secretary of District, as appropriate.

NOTICE OF INTENTION TO CIRCULATE RECALL PETITION

TO HONORABLE _____: Pursuant to Section 110020, California Elections Code, the undersigned registered qualified voters of _____, in the State of California, hereby give notice that we are the proponents of a recall petition and that we intend to seek your recall and removal from the office of _____, in _____.

The grounds for the recall are as follows:

The printed names, signatures, and residence addresses of the proponents are as follows (The least possible number of proponents is 30, however, more than 30 may be required by law):

NO.	NAME	RESIDENCE ADDRESS	SIGNATURE	NO.	NAME	RESIDENCE ADDRESS	SIGNATURE
1				16			
2				17			
3				18			
4				19			
5				20			
6				21			
7				22			
8				23			
9				24			
10				25			
11				26			
12				27			
13				28			
14				29			
15				30			

Telephone number to contact the lead proponent () _____, Email address _____@_____.

The original notice and proof of service will be filed with the _____.

Elections Code Section 11023. (a) Within seven days after the filing of the notice of intention, the officer sought to be recalled may file with the elections official, or in the case of a state officer, the Secretary of State, an answer, in not more than 200 words, to the statement of the proponents. (b) If an answer is filed, the officer shall, within seven days after the filing of the notice of intention, also serve a copy of it, by personal delivery or by certified mail, on one of the proponents named in the notice of intention. (c) The answer shall be signed and shall be accompanied by the printed name and business, or residence address of the officer sought to be recalled.

Appendix D

PROOF OF PERSONAL SERVICE

I, _____ declare that:
(Print full name)

At the time of service I was at least 18 years of age; my name, address and telephone number are as follows: _____
(Print name)

(City, State, Zip Code)

Telephone No. (_____) _____.

I personally served to _____
(Name of Person sought to be recalled)

a copy of the Notice of Intention to Recall him/her by delivering the copy of the Notice of Intention to him or her at: _____
(Complete address)

on _____ at _____ am/pm;
(Date) (Time)

I have attached the original of the Notice of Intention to this Recall to this Proof of Personal Service.

I, _____, declare under penalty
(Print full name)

of perjury under the laws of the State of California that the foregoing is true and correct, and that

I, _____ executed this proof of personal service:
(Print full name)

on _____ at _____
(Date) (Place of signing, e.g., City or County)

(Complete signature)

Appendix E

PROOF OF SERVICE BY CERTIFIED MAIL

I, _____ declare that:
(Print full name)

I am over the age of 18 years, and I _____ in
(Reside/am employed)

County of _____
(Complete address)

On _____, 20 _____, I deposited in the mail at
_____ a copy of the
(Place, e.g., name of City or County)

Notice of Intention to Recall _____
(Name of person sought to be recalled)

In a sealed envelope, with fully prepaid postage thereon for certified mail, addressed to:

_____ at:
(Name of officer sought to be recalled)

(Mailing address)

I have attached the original of the Notice of Intention to this Proof of Service.

I, _____, declare under penalty
of perjury under the laws of the State of California that the forgoing is true and correct, and that I
executed this Proof Service on: _____ at
(Date)

(Place of signing, e.g., City or County)

(Complete Signature)

Appendix F: Sample Petition for Local Recall (With Official Top Funders)

PETITION FOR LOCAL RECALL

TO THE HONORABLE _____ (See note¹) _____,
Pursuant to the California Constitution and California election laws, we the undersigned registered and qualified electors of the _____ (See note²) _____ of _____ (See note³) _____, California, respectfully state that we seek the recall and removal of _____ (See note⁴) _____, holding the office of _____ (See note⁵) _____, in _____ (See note²) _____, California.
The following Notice of Intention to Circulate Recall Petition was served on _____ (Date) _____ to _____ (See note⁴) _____:

(Insert complete text of Notice of Intention here)

The answer of the officer sought to be recalled is as follows: (Insert Officer’s Statement here—200 words or less) (If no statement, insert “No Answer was Filed”)

(For a recall of a member of the governing board of a school district, the estimate of the county elections official, in consultation with the school district, of the cost of conducting the special election must be included. (§ 11041(a)(4).)

Each of the undersigned states for himself/herself that he or she is a registered and qualified elector of the _____ (See note²) _____ of _____ (See note³) _____, California.

NOTICE TO THE PUBLIC:
SIGN ONLY IF IT IS THE SAME MONTH SHOWN IN THE OFFICIAL TOP FUNDERS OR YOU SAW AN “OFFICIAL TOP FUNDERS” SHEET FOR THIS MONTH. [11-point boldface type (§ 101)]

THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK. [11-point non-boldface type (§ 101)]

OFFICIAL TOP FUNDERS. Valid only for [Month, Year⁶]

Petition circulation paid for by [name of the committee as it appears on the most recent Statement of Organization filed pursuant to Government Code section 84101]

Committee major funding from:
[Largest contributor]
[Second largest contributor]
[Third largest contributor]

[OPTIONAL] Endorsed by:
[First endorser]
[Second endorser]
[Third endorser]

Latest info: [link to committee website]

Column must be at least 1" wide

	<div>1. Print Your Name: _____</div> <div>Sign As Registered To Vote: _____</div>	<div>Residence Address ONLY: _____</div> <div>City: _____ Zip: _____</div>	
	<div>2. Print Your Name: _____</div> <div>Sign As Registered To Vote: _____</div>	<div>Residence Address ONLY: _____</div> <div>City: _____ Zip: _____</div>	

DECLARATION OF PERSON CIRCULATING SECTION OF RECALL PETITION
(MUST BE IN CIRCULATOR’S OWN HANDWRITING)

I, _____ (See note 7) _____, solemnly swear (or affirm) all of the following:

1. That I am 18 years of age or older.

2. That my residence address, including street and number, is _____. (If no street or number exists, a designation of my residence adequate to readily ascertain its location is _____.)

3. That the signatures on this section of the petition form were obtained between _____ (Month and Day) _____, 20_____, and _____ (Month and Day) _____, 20_____; that I circulated the petition and I witnessed the signatures on this section of the petition form being written; and that, to the best of my information and belief, each signature is the genuine signature of the person whose name it purports to be.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Executed on _____ (Date) _____ at (City or Community Where Signed) _____, California.⁸

Circulator’s Signature

Date

1 Insert here – Name of the appropriate governing body. The authority which orders or “calls” elections for that office, or the governing authority for that jurisdiction should be named.

2 Insert Electoral Jurisdiction here – County, City, District name, as appropriate.

3 Insert geographical location here – City, County, etc., as appropriate.

4 Insert here – Name of person whose recall is being sought.

5 Insert here – Name of office.

6 The month and year must start at most seven days after the date the top contributors as defined in Government Code section 84501(c) were last confirmed.

7 Insert here – Printed full name of person who gathered signatures.

8 The petition must be set in at least 8-point type. If signature spaces are printed on both sides of a sheet of paper, the above information, except for the declaration of the circulator must appear on each side of the paper. The circulator’s declaration must follow the last signature box. It is suggested that the petition be printed on 8 ½” x 14” paper in order to maximize the number of signature spaces printed on a sheet of paper.

Appendix F1: Sample Petition for Local Recall (Excluding Official Top Funders)

PETITION FOR LOCAL RECALL

TO THE HONORABLE _____(See note¹)_____,
Pursuant to the California Constitution and California election laws, we the undersigned registered and qualified electors of the _____(See note²)_____of _____(See note³)_____, California, respectfully state that we seek the recall and removal of _____(See note⁴)_____, holding the office of _____(See note⁵)_____, in _____(See note²)_____, California.
The following Notice of Intention to Circulate Recall Petition was served on _____(Date)_____ to _____(See note⁴)_____

(Insert complete text of Notice of Intention here)

The answer of the officer sought to be recalled is as follows: (Insert Officer’s Statement here—200 words or less) (If no statement, insert “No Answer was Filed”)

(For a recall of a member of the governing board of a school district, the estimate of the county elections official, in consultation with the school district, of the cost of conducting the special election must be included. (§ 11041(a)(4).)

Each of the undersigned states for himself/herself that he or she is a registered and qualified elector of the _____(See note²)_____ of _____(See note³)_____, California.

NOTICE TO THE PUBLIC:
THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK. [11-point non-boldface type (§ 101)]

	<div>1.</div> <div>Print Your: Name: _____</div> <div>Residence Address ONLY: Address ONLY: _____</div> <div>DO NOT SIGN UNLESS you have seen Official Top Funders sheet and its month is still valid.</div> <div>Sign As Registered To Vote: _____</div> <div>City: _____ Zip: _____</div>	<div>Column must be at least 1” wide</div>
	<div>2.</div> <div>Print Your Name: _____</div> <div>Residence Address ONLY: _____</div> <div>DO NOT SIGN UNLESS you have seen Official Top Funders sheet and its month is still valid.</div> <div>Sign As Registered To Vote: _____</div> <div>City: _____ Zip: _____</div>	
	<div>3.</div> <div>Print Your Name: _____</div> <div>Residence Address ONLY: _____</div> <div>DO NOT SIGN UNLESS you have seen Official Top Funders sheet and its month is still valid.</div> <div>Sign As Registered To Vote: _____</div> <div>City: _____ Zip: _____</div>	

DECLARATION OF PERSON CIRCULATING SECTION OF RECALL PETITION (MUST BE IN CIRCULATOR’S OWN HANDWRITING)

I, _____(See note⁶)_____, solemnly swear (or affirm) all of the following:

1. That I am 18 years of age or older.
2. That my residence address, including street and number, is_____. (If no street or number exists, a designation of my residence adequate to readily ascertain its location is _____.)
3. That the signatures on this section of the petition form were obtained between ____ (Month and Day)_____, 20_____, and ____ (Month and Day)_____, 20_____; that I circulated the petition and I witnessed the signatures on this section of the petition form being written; and that, to the best of my information and belief, each signature is the genuine signature of the person whose name it purports to be.
4. That I showed each signer a valid and unfalsified “Official Top Funders” sheet, as required by Elections Code Section 107.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Executed on _____(Date)_____at (City or Community Where Signed)_____, California.⁷

Circulator’s Signature

Date

¹ Insert here – Name of the appropriate governing body. The authority which orders or “calls” elections for that office, or the governing authority for that jurisdiction should be named.

² Insert Electoral Jurisdiction here – County, City, District name, as appropriate.

³ Insert geographical location here – City, County, etc., as appropriate.

⁴ Insert here – Name of person whose recall is being sought.

⁵ Insert here – Name of office.

⁶ Insert here – Printed full name of person who gathered signatures.

⁷ The petition must be set in at least 8-point type. If signature spaces are printed on both sides of a sheet of paper, the above information, except for the declaration of circulator must appear on each side of the paper. The circulator’s declaration must follow the last signature box. It is suggested that petition be printed on 8 ½” x 14” paper in order to maximize the number of signatures spaces printed on a sheet of paper.

Appendix F2: Sample Petition for Local Recall (With No Official Top Funders)

PETITION FOR LOCAL RECALL

TO THE HONORABLE _____(See note¹)_____,
Pursuant to the California Constitution and California election laws, we the undersigned registered and qualified electors of the _____(See note²)_____of _____(See note³)_____, California, respectfully state that we seek the recall and removal of _____(See note⁴)_____, holding the office of _____(See note⁵)_____, in _____(See note²)_____, California.
The following Notice of Intention to Circulate Recall Petition was served on _____(Date)_____ to _____(See note⁴)_____:

(Insert complete text of Notice of Intention here)

The answer of the officer sought to be recalled is as follows: (Insert Officer’s Statement here—200 words or less) (If no statement, insert “No Answer was Filed”)

(For a recall of a member of the governing board of a school district, the estimate of the county elections official, in consultation with the school district, of the cost of conducting the special election must be included. (§ 11041(a)(4).)

Each of the undersigned states for himself/herself that he or she is a registered and qualified elector of the _____(See note²)_____ of _____(See note³)_____, California.

NOTICE TO THE PUBLIC:

THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK. [11-point non-boldface type (§ 101)]

Column must be
at least 1” wide

	<div>1. Print Your: Name: _____ Sign As Registered To Vote: _____</div>	<div>Residence Address ONLY: Address ONLY: _____ City: _____ Zip: _____</div>	
	<div>2. Print Your Name: _____ Sign As Registered To Vote: _____</div>	<div>Residence Address ONLY: _____ City: _____ Zip _____</div>	
	<div>3. Print Your Name: _____ Sign As Registered To Vote: _____</div>	<div>Residence Address ONLY: _____ City: _____ Zip: _____</div>	
	<div>4. Print Your Name: _____ Sign As Registered To Vote: _____</div>	<div>Residence Address ONLY: _____ City: _____ Zip: _____</div>	

DECLARATION OF PERSON CIRCULATING SECTION OF RECALL PETITION
(MUST BE IN CIRCULATOR’S OWN HANDWRITING)

I, _____(See note⁶)_____, solemnly swear (or affirm) all of the following:

1. That I am 18 years of age or older.
2. That my residence address, including street and number, is_____. (If no street or number exists, a designation of my residence adequate to readily ascertain its location is_____.)
3. That the signatures on this section of the petition form were obtained between _____(Month and Day)_____, 20_____, and _____(Month and Day)_____, 20_____; that I circulated the petition and I witnessed the signatures on this section of the petition form being written; and that, to the best of my information and belief, each signature is the genuine signature of the person whose name it purports to be.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Executed on _____(Date)_____at (City or Community Where Signed)_____, California.⁷

Circulator’s Signature

Date

1 Insert here – Name of the appropriate governing body. The authority which orders or “calls” elections for that office, or the governing authority for that jurisdiction should be named.

2 Insert Electoral Jurisdiction here – County, City, District name, as appropriate.

3 Insert geographical location here – City, County, etc., as appropriate.

4 Insert here – Name of person whose recall is being sought.

5 Insert here – Name of office.

6 Insert here – Printed full name of person who gathered signatures.

7 The petition must be set in at least 8-point type. If signature spaces are printed on both sides of a sheet of paper, the above information, except for the declaration of circulator must appear on each side of the paper. The circulator’s declaration must follow the last signature box. It is suggested that petition be printed on 8 ½” x 14” paper in order to maximize the number of signatures spaces printed on a sheet of paper.

Appendix G



LOS ANGELES COUNTY REGISTRAR-RECORDER/COUNTY CLERK

RECEIPT

RECALL PETITION COVER SHEET AND FORM

(THIS FORM DOES NOT CONSTITUTE THE FACE OF THE PETITION. IT IS IN LIEU OF A LETTERHEAD)

PROPONENT INFORMATION

Date of Petition Deadline: _____ Today's Date: _____ Phone: _____

Name of Proponent: _____

Name of Organization: _____

Name of Recall Offices (Jurisdictions): _____

Current address: _____

City: _____ State: _____ ZIP Code: _____

Number of Signatures Needed to Qualify: _____

Number of Signatures Collected: _____

Number of Pages: _____

OTHER THAN THE PROPONENT INFORMATION

Name of Person Filing the Petition: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

Authorization to allow someone other than the Proponent to file this Petition:

The Proponent listed above has authorized the person shown in this section who is someone other than a Proponent to file this Petition on their behalf.

Signature of Proponent (below): _____

Date: _____

ACKNOWLEDGEMENT OF PROPONENT

I certify to the best of my knowledge the number of signatures filed today meets the required number of signatures needed to be collected and qualified by the deadline identified above.

SIGNATURE OF PROPONENT

Signature of Proponent: _____

Date: _____

Signature of PETITION FILER (OTHER THAN the Proponent): _____

Date: _____

PLEASE REFER TO "A GUIDE TO RECALL" FOR DETAILED INFORMATION AND INSTRUCTIONS.

Appendix H

Recall Checklist

Jurisdiction: _____

Recall of Officer: _____

Term of Office: ☐ More than 6 Months or ☐ less than 90 Days

DOCUMENTS

	<u>Date</u>
	<u>Received/Mailed</u>
<input type="checkbox"/> Notice of Intention <input type="checkbox"/> Approved <input type="checkbox"/> Rejected	_____
(Check for section 11023 is included)	
<input type="checkbox"/> Memo/Notice of Intention to Data Entry for Signature Verification	_____
<input type="checkbox"/> Signatures Found Sufficient on Notice of Intention	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Copy of proof of Service	_____
Filed <input type="checkbox"/> 7 Days within NOI or <input type="checkbox"/> 7 Days Past NOI	
<input type="checkbox"/> Officer's Answer Due Date _____ Officer's Answer Filed	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Notice of Intention <input type="checkbox"/> Approved <input type="checkbox"/> Rejected	_____
Proponents Notified _____	
<input type="checkbox"/> Proof of NOI Publication <input type="checkbox"/> Yes <input type="checkbox"/> No Due Date _____	_____
<input type="checkbox"/> Petition for Recall Format Due Date _____	_____
Two (2) blank copies Recall Format <input type="checkbox"/> Approved <input type="checkbox"/> Corrections Needed	
<input type="checkbox"/> Petition for Recall Format Due Date _____	_____
Two (2) blank copies Recall Format <input type="checkbox"/> Approved <input type="checkbox"/> Corrections Needed	
<input type="checkbox"/> Petition for Recall Format Due Date _____	_____
Two (2) blank copies Recall Format <input type="checkbox"/> Approved <input type="checkbox"/> Corrections Needed	
<input type="checkbox"/> Petition for Recall Format Due Date _____	_____
Two (2) blank copies Recall Format <input type="checkbox"/> Approved <input type="checkbox"/> Corrections Needed	
<input type="checkbox"/> Petition for Recall Format <input type="checkbox"/> Approved _____ <input type="checkbox"/> Abandon _____	
<input type="checkbox"/> Proponents Notified _____	_____
<input type="checkbox"/> Courtesy Letter to Officer _____	_____
<input type="checkbox"/> Notify Data Entry and Finance (Memorandum) _____	_____

Percentage of Signatures Required _____	Total of Signatures Required _____
Registration Total _____	Number of Days to Circulate _____
Date of Petition Deadline _____	
Number of Signatures Collected _____	
Number of Pages _____	
Name of Proponent _____	
Name of Organization _____	
Address _____	

Appendix I

Notice of Intention Proof of Posting: Checklist

I, _____ declare that:

At the time of NOI public posting. I was at least 18 years of age; my name, address, and telephone number are as follows:

Example:

Jane Doe Little

1234 Mockingbird Ln.

Los Angeles, CA. 90000

(999) 999-9999

I witnessed the public posting of the NOI for (Name of Elected Official) at the following locations:

Example:

1. Target is located at 1234 Wichita Ln, Los Angeles, CA. 90000 on (Provide date of posting)
2. Walmart is located at 5100 Kansas Ave, Los Angeles, CA. 90000 on (Provide date of posting)
3. Star Public Library is located at 2100 Seattle Ave. Los Angeles, CA. 90000 on (Provide date of posting)

I have attached pictures of the posting and declare under penalty or perjury I, _____ under the laws of the State of California that the foregoing is true and correct and that I witnessed the public posting of (Insert Elected Officials Name) NOI at the above locations.

☐ State your name and declare that at the time of the NOI public posting, you were at least 18 years of age; your name, address, and telephone number are as follows: Please ensure that all of that information is included on your affidavit.

☐ State that you witnessed the public posting of the NOI for the Elected Official to be Recall at the following locations: Please list and include pictures of all 3 of the locations where the NOI is posted.

☐ Please ensure that the NOI is posted with all pages visible, along with the names and addresses of each proponent.

☐ Please confirm why you, the proponent, could not publish the NOI in a general circulation local newspaper. ***(Recommended to provide proof of communication with local newspaper such as emails, texts, or letterhead from newspaper).***